

# **LATVIA 2021 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

The Republic of Latvia is a multiparty parliamentary democracy. A unicameral parliament (Saeima) exercises legislative authority. Observers considered the elections in 2018 for the 100-seat parliament to be free and fair.

The State Police and municipal police forces share responsibility for maintaining internal security. The State Border Guard, the armed forces, the Defense Intelligence and Security Service, the Constitution Protection Bureau, the State Security Service, and the National Guard are responsible for external security but also have some domestic security responsibilities. The State Police, State Security Service, and State Border Guards are subordinate to the Ministry of Interior. Municipal police are under local government control. The armed forces, the Defense Intelligence and Security Service, the Constitution Protection Bureau, and the National Guard are subordinate to the Ministry of Defense. Civilian authorities maintained effective control over the security forces. Members of the security forces committed some abuses.

There were no reports of significant human rights abuses.

The government had mechanisms in place to identify and punish officials who may commit human rights abuses or engage in corruption.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The law prohibits such practices. The ombudsman received three reports of physical abuse by police officers during the year.

#### **Prison and Detention Center Conditions**

The Council of Europe's Committee for the Prevention of Torture (CPT) noted in 2017 some prison or detention center conditions that raised human rights concerns. Prisoners complained regarding insufficient ventilation, natural light, hygiene, cleaning supplies, and nutrition.

**Physical Conditions:** The CPT noted in 2017 that specific detention facilities had deteriorating physical conditions and that interprisoner violence remained a problem at the Daugavgriva, Jelgava, and Riga Central Prisons. Health care in the prison system was inadequate due to a shortage of medical staff.

In 2017 the CPT noted that most of the prisoner accommodation areas in the unrenovated Griva Section of Daugavgriva Prison were in poor condition and lacked an adequate ventilation system.

Through September the ombudsman received 17 complaints from prisoners regarding living conditions, particularly insufficient ventilation, and 11 complaints regarding doctors' alleged unwillingness to prescribe medicine convicts desired and complaints about treatment delays due to COVID-19 restrictions. The CPT noted in 2017 that most patients in the Olaine Prison Hospital Psychiatric Unit and the majority of prisoners sentenced to maximum security at the Daugavgriva and Jelgava Prisons were locked in their cells for up to 23 hours a day.

**Administration:** Prison authorities generally investigated credible allegations of mistreatment and documented the results of their investigations in a publicly accessible manner. Through August the Office of the Ombudsman of Latvia received 15 complaints of mistreatment.

**Independent Monitoring:** The government permitted monitoring by national and international human rights monitors, including the CPT and independent

nongovernmental observers.

**Improvements:** The ombudsman reported some improvements in living conditions of prisoners, such as in ventilation and hygiene, but said that the improvements did not satisfy all his recommendations.

Prisons provided vaccination against COVID-19 on their premises and improved access to dental and body X-rays in various prisons.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

##### **Arrest Procedures and Treatment of Detainees**

In most cases officials require a warrant issued by an authorized judicial official to make an arrest. Exceptions are specifically defined by law and include persons caught by police in the act of committing a crime, suspects identified by eyewitnesses, and suspects who pose a flight risk. The law requires prosecutors to charge detainees and bring them before a judge within 48 hours. Through September the ombudsman received six complaints concerning detention without timely charges.

Officials generally informed detainees promptly of charges against them. Some detainees complained that authorities failed to provide verbal information regarding their basic rights immediately upon arrest. Instead, they received information sheets explaining their rights and duties. While a bail system exists, judges used it infrequently and did so most often in cases involving economic crimes.

Detainees have the right to an attorney who may be present during questioning. In 2017, however, the CPT noted receiving a number of accusations from detained persons (including juveniles) that they had been subjected to informal questioning without the presence of a lawyer, prior to the taking of a formal statement in the lawyer's presence. Some detainees alleged they were physically mistreated or

threatened with physical violence during such periods of initial questioning. The government generally provided attorneys for indigent defendants.

### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality. The government's complaints register collected information on complaints or breaches of ethical conduct by members of the judiciary.

### **Trial Procedures**

The constitution and law provide for the right to a fair and public trial, and an independent judiciary generally enforced this right. Defendants are presumed innocent and have the right to be informed promptly of the charges against them. Defendants have the right to a fair and expeditious and, in most cases, open trial, although officials may close trials to protect government secrets or the interests of minors. Defendants have the right to be present at their trial as well as to consult with an attorney in a timely manner and, if indigent, at government expense. The law provides for the right to adequate time and facilities to prepare a defense. Defendants have the right to the free assistance of an interpreter if they cannot understand or speak Latvian, to confront prosecution or plaintiff witnesses, and to present witnesses and evidence in their defense. Defendants may not be compelled to testify or confess guilt and have the right to appeal.

Through September the ombudsman received 11 complaints concerning lengthy proceedings, many related to delays caused by COVID-19 restrictions.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

The law provides for an independent and impartial judiciary in civil matters. Individuals and organizations may bring a lawsuit through domestic courts seeking civil remedies for human rights violations. After exhausting the national court system, individuals may appeal cases involving alleged government violations of

the European Convention on Human Rights to the European Court of Human Rights.

### **Property Seizure and Restitution**

The government has established limited programs for Jewish private and communal property restitution dating from the Holocaust era. The country's Jewish community has identified 265 communal properties, including cemeteries, synagogues, schools, hospitals, and community centers, that still require restitution. Some government officials asserted that the return of five properties in 2016 seized during World War II resolved the restitution issue.

Coalition parties acknowledged the importance of the issue and included Jewish communal property restitution as one of five separately highlighted issues in its coalition agreement, despite opposition to restitution on the part of some coalition members. In January parliament passed the second of three readings of a draft restitution bill that would provide 40 million euros (\$46 million) to the Jewish community for properties confiscated during World War II and the Soviet occupation.

The Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress can be found on the Department's website at:

<https://www.state.gov/reports/just-act-report-to-congress/>.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution and the law prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution and the law provide for freedom of expression, including for the members of press and other media, and the government generally respected this

right. An independent media, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for members of the media. The government legally restricts racial and ethnic incitement, denial, or glorification of crimes against humanity and certain war crimes.

**Freedom of Expression:** Although the law generally provides for freedom of speech, it criminalizes incitement to racial or ethnic hatred and the spreading of false information regarding the financial system. The law forbids glorifying or denying genocide, crimes against humanity, and war crimes against the country perpetrated by the Soviet Union or Nazi Germany. Violation of these provisions can lead to a five-year prison sentence, community service, or a fine. There are also restrictions on speech deemed a threat to national security. The law criminalizes nonviolent acts committed against the state or that challenge its “independence, sovereignty, territorial integrity, or authority.”

As of September the State Security Service initiated four criminal cases against individuals for inciting national, ethnic, religious, or racial hatred.

**Freedom of Expression for Members of the Press and Other Media, Including Online Media:** Independent media were active and expressed a wide variety of views with few restrictions. The law requires that 65 percent of all television broadcast time in national and regional electronic media be in Latvian or be dubbed or subtitled. Extensive Russian-language programming was also available in all national and local media. Restrictions on speech that incites racial hatred, spreads false information regarding the financial system, or glorifies or denies genocide, crimes against humanity, or crimes against the country by the Soviet Union or Nazi Germany also apply to print and broadcast media, the publication of books, and online newspapers and journals.

Electronic media are legally required to present news and current affairs programs with due accuracy and impartiality. All companies, including media and other publishers, are required to disclose their ownership, and this data is publicly available. Electronic mass media are required to disclose their ultimate beneficiaries and to report any changes to the media regulator.

The Latvian Journalists Association expressed concern regarding local newspapers' independence and viability.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. Internet speech was subject to the same restrictions as other forms of speech and the media.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

## **b. Freedoms of Peaceful Assembly and Association**

The constitution and law provide for the freedoms of peaceful assembly and association, and the government generally respected these rights.

### **Freedom of Peaceful Assembly**

The constitution and the law provide for freedom of peaceful assembly. The government generally respected this right, but there are some restrictions. Organizers of demonstrations typically must notify authorities 10 days in advance. Authorities can approve demonstrations within 24 hours if longer advance notice is “reasonably impossible.” Officials may deny or modify permits to prevent public disorder. Due to the COVID-19 pandemic, the government introduced several temporary assembly restrictions that changed in proportion to the assessed risks.

### **Freedom of Association**

The constitution and the law provide for freedom of association, and the government generally respected this right. The law prohibits the registration of communist, Nazi, or other organizations that contravene the constitution or advocate the violent overthrow of the government.

## **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at

<https://www.state.gov/religiousfreedomreport/>.

#### **d. Freedom of Movement and the Right to Leave the Country**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

COVID-19 travel restrictions were primarily limited to self-isolation requirements based on published EU infection data and adjusted for infection levels. The government supported repatriation travel of the country's residents, with self-isolation requirements, and facilitated repatriation of foreign citizens as requested by other countries.

#### **e. Status and Treatment of Internally Displaced Persons**

Not applicable.

#### **f. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers as well as other persons of concern.

**Access to Asylum:** The law provides for the granting of asylum or refugee status, and the government has established a system to provide protection to refugees. During the year the government granted refugee status to 46 persons from 475 applications.

On August 11, in response to an extraordinary increase in migrants attempting to cross the Latvia-Belarus border as part of what credible media outlets and nongovernmental organizations reported as a migrant-smuggling operation by the Alyaksandr Lukashenka regime in Belarus intended to destabilize the EU, the government declared a state of emergency which allows it to prevent migrants from entering the country and gives authorities the right not to accept asylum applications in the four provinces along the Belarus-Latvia border. Between August 11 and the end of the year, the State Border Guard prevented more than



3,400 persons from crossing the border from Belarus while allowing 93 migrants to enter for humanitarian reasons. Authorities detained 445 persons for illegally crossing the border with Belarus.

Some NGOs expressed concerns regarding the state of emergency. They also criticized the government for not allowing media or nongovernmental organizations (NGOs) to access the border area and for providing insufficient care to the migrants on the border with Belarus who were prevented from entering Latvia. The government responded that the state of emergency was a necessary response to the actions of the Lukashenka regime in Belarus. The government also said it had provided migrants on the border with food, water, and medical care.

**Safe Country of Origin/Transit:** The country adheres to the EU's Dublin III Regulation, which permits authorities to return asylum seekers to their country of first entry into the EU if they arrive from other EU member states, except in cases involving family reunification or other humanitarian considerations. The government made an exception to this policy to participate in the EU's efforts to address high levels of migration into Europe.

**Durable Solutions:** The government funded integration projects through the Ministry of Culture and local NGOs. Some observers expressed concern that Latvian language education programs did not have sufficient training capacity. Refugee benefits fell well below the country's poverty line.

**Temporary Protection:** The law allows for the granting of temporary protection to individuals not found to qualify for refugee status but who were nonetheless determined to need international protection. In the first eight months of the year, the government granted alternate status to 19 persons.

## **g. Stateless Persons**

UNHCR reported 209,007 stateless persons resident in the country at the end of 2020. This number included 208,842 persons the government considered "noncitizens." The government recognized as stateless only those persons with no claim to foreign citizenship or noncitizen resident status. Persons categorized by authorities as stateless may pursue citizenship through naturalization after obtaining a permanent residence permit and lawfully residing in the country for

five years.

UNHCR included most of the country's noncitizen population in the stateless category, but as of 2018 also considered them persons to whom the 1954 Convention relating to the Status of Stateless Persons does not apply. The government preferred to designate this population as noncitizen residents, since they were eligible to naturalize under the law. Noncitizen residents, mostly persons of Slavic origin who moved to the country during the Soviet occupation and their descendants, did not automatically become citizens when the country regained independence in 1991. They have permanent residency status, equal protection in the country and consular protection abroad, the right to leave and return to the country, and the right to all government social benefits. They also have employment rights, except in some government and private-sector positions related to the legal system, law enforcement, and national security. Noncitizens may not vote in local or national elections and may not organize a political party without the participation of at least an equal number of citizens.

Noncitizen residents may seek naturalization in the country. From January to September, authorities received 360 new naturalization applications; 222 applicants received their citizenship by September, and 35 failed to pass the language exam but could reapply. In public surveys of noncitizen residents, the majority of respondents who did not seek naturalization reported that, in addition to language barriers, their reasons for not doing so included political objections to the requirement, lack of accessible Latvian language training, or anticipated exemption from the language requirement upon reaching the age of 65, and their understanding that Latvian citizenship was not necessary for them to travel to Russia and EU-member states.

A subset of these noncitizen permanent residents hold citizenship in a different country, such as Russia, although the exact number and percentage were unknown. Dual citizenship for noncitizen permanent residents older than 25 is not legal. While living in Latvia, this subgroup may not only travel in the Schengen area like other noncitizen permanent residents but may also travel without any restrictions and visa-free to and from their country of citizenship. Persons with only a Latvian noncitizen permanent resident passport do not need a visa to visit Russia, but they can stay in that country no longer than 90 days within a period of six months.

Holders of only a Latvian noncitizen permanent resident passport who were born after 1991 need a visa to visit Russia.

Noncitizen resident children born in the country after January 1, 2020, are considered Latvian citizens.

## **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

### **Elections and Political Participation**

**Recent Elections:** International observers from the Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights assessed the parliamentary elections in 2018 as free and fair.

**Political Parties and Political Participation:** Citizens may organize political parties without restriction. The law prohibits the country's noncitizen residents from organizing political parties without the participation of at least an equal number of citizens. It prohibits from holding public office persons who remained active in the Communist Party or other pro-Soviet organizations after 1991 or who worked for such institutions as the Soviet KGB.

**Participation of Women and Members of Minority Groups:** No laws limit the participation of women and citizen members of minority groups in the political process, and they did participate. Women accounted for 32 percent of national parliament candidates and occupied 23 percent of ministerial positions, 30 percent of elected seats in the national parliament, and 34 percent of elected seats in the local councils. Approximately 26 percent of the ethnic minority population were noncitizen residents who could not participate in elections and had no representation in government.

## **Section 4. Corruption and Lack of Transparency in**

## **Government**

The law provides criminal penalties for corruption by officials, but the government did not consistently implement the law effectively. Officials sometimes engaged in corrupt practices, and polling data consistently showed that the majority of the public believed that corruption was widespread, that officials were rarely held accountable, that investigation and prosecution of corruption cases were slow, and that convictions were rare.

**Corruption:** Corruption was a problem. Investigation of corruption cases continued to improve, but prosecutions were slow, and conviction rates low. NGOs stated concerns with the quality of investigations, efficiency of the Corruption Prevention and Combating Bureau (KNAB), lack of appropriate judicial training, quality of law education, lengthy written procedures, and sluggish use of plea bargaining as the main problems in the judicial sector.

In October KNAB initiated criminal proceedings on corruption charges against Member of Parliament Viktors Valainis, who chaired the Greens/Farmers group in parliament. KNAB investigated Valainis's possible involvement in the alleged payment of a bribe in exchange for a council member's deciding vote to replace the mayor in the town of Dobeles.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

Domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often cooperated with NGOs and responded to their views and inquiries.

**Government Human Rights Bodies:** The Office of the Ombudsman is responsible for monitoring the government's performance on human rights. The ombudsman reported good cooperation with the agencies he monitored and operated without direct government or political interference. The office encountered difficulties resolving problems that required state budget funding or

changes in the law, but effectively addressed complex social-economic issues in the Constitutional Court. In its most recent report in 2019, the Council of Europe's European Commission against Racism and Intolerance (ECRI) observed that the ombudsman's mandate does not include providing independent assistance to victims of racism and racial discrimination. The ombudsman cannot enforce its recommendations or levy fines, although it may apply to the Constitutional Court to initiate proceedings against a public institution that has failed to address a source of discrimination. The ombudsman can also file a complaint in an administrative court if it is in the public interest or bring a case to the civil courts if the problem concerns a violation of equal treatment, ECRI stated. As required by law, the Office of the Ombudsman published an annual report describing its activities and making recommendations to the government.

A standing parliamentary committee on human rights and public affairs met weekly when parliament was in session. It considered initiatives related to human rights.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** The law specifically criminalizes rape regardless of gender. Spousal rape is explicitly considered rape with "aggravated circumstances." Criminal penalties for rape range from four years' to life imprisonment. The government effectively enforced the law.

When police receive a report of rape, they are required to open an investigation. Through September police initiated 53 criminal charges for rape against 27 individuals, of which 17 cases were sent to the prosecutor's office. Because the Ministry of Justice does not distinguish between spousal rape and nonspousal rape cases, there were no reports available on whether any spousal rape case was prosecuted.

The law provides a broad definition of violence that includes physical, sexual, psychological, and economic violence. Domestic and intimate-partner violence is criminalized and considered an aggravating factor in certain criminal offenses.

There are penalties for causing even “minor” bodily harm when the survivor and perpetrator are spouses, former spouses, or civil partners. Penalties range from fines to imprisonment.

The law allows police to investigate domestic violence without a survivor’s prior approval and criminalizes stalking. The law allows survivors of domestic violence to request that police officers issue an order for the eviction of the perpetrator for eight days. Upon such a request, police must react immediately, on the spot if necessary. Only courts can issue restraining orders and must respond to such requests within one business day. Once a restraining order is issued, it remains in force until a court revokes it.

Domestic violence remained a serious problem and increased due to COVID-19. NGOs stated reports of domestic violence increased during the summer months, when the COVID-19 restrictions were lifted. Another increase of reports took place after NGOs completed a domestic violence public awareness campaign in January, perhaps because of heightened public awareness. Through August police initiated 158 criminal proceedings for domestic violence and detained 57 persons. In the same period, police issued 364 restraining orders. NGOs stated that in some domestic violence cases, police and doctors were reluctant to act or arrest domestic partners. NGOs also stated police and doctors sometimes minimized the seriousness of the accusations when responding to reports of abuse. Domestic abuse complaints to police resulted in a slight rise in the rate of citations, although NGOs still viewed this as insufficient.

Police throughout the country are required to use standardized protocols to report and investigate gender-based violence, including domestic violence. Responding police officers are required to complete and send electronically an evaluation checklist to the social service of the relevant local government within one working day.

There was a government-run safe shelter designated specifically for battered and abused women in the Tukums municipality. The government provided state funding to shelters. There was one government-funded survivor support hotline and several NGO-managed crisis hotlines; none was dedicated exclusively to rape or assault reports. The government hotline referred survivors to an appropriate

NGO for further support.

**Sexual Harassment:** Sexual harassment was prosecuted under discrimination statutes. Penalties range from a reprimand to imprisonment. Victims have the right to submit complaints to the Office of the Ombudsman and the State Labor Inspectorate. During the year there was one complaint of sexual harassment.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The law requires transgender persons to be sterilized before their gender identity is legally recognized.

The country's cultural norms and concerns regarding potential violations of "virtue" laws limited consistent education in schools on sexual and reproductive health. The law obliges schools to provide students with a "moral education" that reinforces traditional (heterosexual) values regarding marriage and family life. As a result, many teachers avoided educating adolescents regarding reproductive health and contraception.

The government provided access to sexual and reproductive health services for survivors of sexual violence. Emergency contraception was available as part of clinical management of rape.

**Discrimination:** The law provides for equal treatment of women. The government enforced its antidiscrimination laws effectively. There were instances of hiring and pay discrimination against women, particularly in the private sector (see section 7.d.).

## **Systemic Racial or Ethnic Violence and Discrimination**

The law provides for equal treatment and protection of racial and ethnic minorities against violence, discrimination, and hatred. The government enforced its antiviolenence laws effectively.

NGOs representing minority groups stated that discrimination and harassment of national minorities, including what they considered hate speech, remained underreported to authorities. Through September the ombudsman did not receive

any written complaints of racial discrimination, although he did receive five complaints of hate speech targeting certain ethnicities. ECRI in 2019 heard from NGOs, minority representatives, and the ombudsman that victims of hate speech often did not report incidents to police because they distrusted the willingness and ability of police to investigate these cases effectively.

In July the new minister of interior established a working group focused on addressing hate crimes.

The Romani community continued to face widespread societal discrimination, high levels of unemployment, and illiteracy. The government continued integration and awareness programs in support of Roma, although some community members expressed concern that the support was inconsistent. The Central Statistical Bureau reported that 4,838 Roma lived in the country.

## **Children**

**Birth Registration:** Citizenship derives from one's parents. Only one parent must be a citizen to transmit nationality to a child. The law bestows automatic birthright citizenship to children of noncitizen residents. Children with noncitizen resident status are eligible for citizenship via naturalization.

**Child Abuse:** Violence against children was a problem. The law provides for protection of children against violence, exploitation, sexual abuse, involvement in commercial sexual exploitation, and serious threats to their life, health, or development, such as hazardous conditions. Violation of the law is punishable by imprisonment, community service, or a fine and supervised probation for a period of up to three years. The law empowers custody courts to remove vulnerable and abused children from violent homes if parents or guardians cannot do so or are themselves perpetrators of the violence. Police effectively enforced laws against child abuse.

The ombudsman received two complaints of violence against children in educational institutions and two complaints of violence against children in families. NGOs also reported a continuing overall problem with discipline and bullying in schools, citing an administrative culture of conflict avoidance as an aggravating factor.



**Child, Early, and Forced Marriage:** The legal minimum age for marriage is 18. Persons younger than 18 may legally marry only with parental permission and if one party is at least 16 and the other is at least 18.

**Sexual Exploitation of Children:** The law prohibits the commercial sexual exploitation of children, the sale of children, offering or procuring a child for prostitution, and practices related to child pornography. Authorities generally enforced the law. Through September police initiated 93 criminal proceedings for the sexual exploitation of minors younger than 16. The purchase, display, reproduction, or distribution of child pornography is punishable by up to three years in prison. Involving a minor in the production of pornography is punishable by up to 12 years in prison, depending on the age of the child. The minimum age for consensual sex is 16.

**Institutionalized Children:** In the first eight months of the year, the State Inspectorate for Children's Rights reported four cases of peer-on-peer emotional abuse in orphanages run by municipalities. The inspectorate and NGOs stated the number of incidents was likely higher but could not be confirmed because of difficulties in accountability, infrequent visits by social workers, and limited opportunities for observation.

**International Child Abductions:** The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

## **Anti-Semitism**

Government sources estimated there were between 4,400 and 8,100 Jewish residents in the country. There were no reports of anti-Semitic attacks against individuals, although there were public references to stereotypes on the internet by some fringe groups. As of September the State Security Service initiated two criminal cases against individuals for anti-Semitic comments. The government provided financial support to Jewish history, religious, and cultural institutions.

Because of COVID-19 restrictions, most of the annual commemoration of Latvian

Legionnaires who fought in German Waffen SS units against the Soviet army in World War II was canceled. Organizers converted the annual memorial march into an all-day wreath-laying event. As in recent years, the event was sparsely attended, but at least one parliamentarian from the right-wing National Alliance party attended.

On July 4, President Egils Levits, Jewish community representatives, government officials, and foreign diplomats attended the Holocaust commemoration ceremony in Riga. The ceremony included a limited number of invitees due to COVID-19 pandemic restrictions but was open to the public.

## **Trafficking in Persons**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Persons with Disabilities**

The constitution and law prohibit discrimination against persons with disabilities and mandate access to education, health services, and transportation for persons with disabilities, and the government generally enforced these provisions.

The law mandates access to public buildings for persons with disabilities. A regulation approved in October mandates greater accessibility for new and renovated public and private buildings, such as elevator accessibility and removed barriers to the installation of ramps. Nevertheless, NGOs stated that building accessibility continued to be low while the new regulation was implemented.

While health and labor services were provided as stipulated by law, NGOs stated that most persons with disabilities had limited access to work and health care due to a lack of personal assistants, the absence of specialized job education and training programs, the weak performance of the State Employment Agency, and a lack of government support for businesses employing persons with disabilities. The accessibility of health services worsened due to the COVID-19 pandemic and increased the burden on medical staff. Access to housing and mortgage loans remained limited.

Schools were generally able to accommodate the needs of children with physical disabilities. NGOs cited a lack of psychological support for students with mental disabilities. Several schools dedicated only to students with disabilities still existed, although children were increasingly integrated into the regular educational system.

Access to polling stations and information regarding election candidates and processes remained a problem for persons with disabilities.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**

NGOs stated that instances of violence and other abuses based on sexual orientation or gender identity tended to be underreported, and that they observed a rise in online hate speech against the lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) community during the COVID-19 pandemic. ECRI noted in 2019 that the government did not collect data regarding sexual orientation and gender identity and thus could not accurately assess the magnitude of the problem or need for specialized services. Through August the ombudsman received four complaints regarding discrimination based on sexual orientation.

NGOs reported widespread stigmatization of, intolerance of, and discrimination against LGBTQI+ persons. NGOs reported an improved relationship with the Ministry of Interior given the new focus on countering anti-LGBTQI+ discrimination following the ministry's leadership change. They reported improvements in cooperation both with the ombudsman and the State Police since police established a specific point of contact within the department for NGOs seeking urgent assistance.

The law requires transgender persons to be sterilized before their gender identity is legally recognized.

The law prohibits discrimination based on sexual orientation or gender identity. Authorities generally enforced the law. NGOs expressed concern regarding the lack of explicit protection in the law against incitement to hatred and violence on grounds of sexual orientation and gender identity.

On April 9, the Constitutional Court abolished the rule that requires a partner in a same-sex family to pay a higher state fee for the inheritance of their deceased partner's estate than heterosexual spouses.

On December 10, the Supreme Court overturned an administrative court's refusal of a same-sex couple's application for "family" benefits and ordered a retrial to establish whether denying the couple familial status violated their rights under Article 110 of the constitution, which says that the state "shall protect and support...the family, the rights of the parents, and the rights of the child." The ruling created a new possibility for same-sex partners to receive social services and economic benefits as a family through a court decision rather than by legislation.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. Unions may not have fewer than 15 members or less than 25 percent of the total number of employees in the company (which cannot be fewer than five). The law prohibits antiunion discrimination and employer interference in union functions, and it provides reinstatement for unlawful dismissal, including dismissal for union activity.

There were several limitations on these rights. Uniformed members of the military and members of the State Security Services may not form or join unions. According to the International Trade Union Confederation, collective bargaining in the public administration is a formal procedure with no real substance since all employment conditions are fixed by law.

While the law provides for the right to strike, it requires a strike vote by a simple majority at a meeting attended by more than half of the union's members. It prohibits strikes in sectors related to public safety and by personnel classified as essential, including judges, prosecutors, police, firefighters, border guards, employees of state security institutions, prison guards, and military personnel. The law prohibits "solidarity" strikes by workers who are not directly involved in a specific labor agreement between strikers and their employers, a restriction

criticized by local labor groups. It also bans political strikes. The law provides arbitration mechanisms for essential personnel not permitted to strike.

The government generally enforced applicable labor laws. EU labor regulations also applied. Resources, inspections, and remediation were adequate under the law. Penalties for violations were commensurate with those under other civil rights laws, ranging from a few hundred to several thousand euros, but were insufficient to deter violations. Administrative and judicial procedures were subject to lengthy delays and appeals. Labor rights organizations expressed concern regarding employer discrimination against union members.

Freedom of association and the right to collective bargaining were generally respected. The law on trade unions requires trade unions to be independent under the law. Anticorruption officials and press reports stated, however, that external funding and support appeared to make some union individuals or groups lack independence.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor. The government effectively enforced the law, although staffing problems hindered more effective enforcement. Penalties range from fines to imprisonment, were commensurate with those for other analogous serious crimes, and were generally sufficient to deter violations. The Ministry of Welfare's State Labor Inspectorate, the agency responsible for enforcing labor laws, conducted regular inspections of workplaces and reported no incidents of forced labor through September. The inspectorate reported a high employee turnover, with approximately 12 percent of positions unfilled, a situation made worse by perennial wage issues they were seeking to improve.

In July the State Police detained eight persons for suspected labor trafficking at several addiction prevention centers. Police started the investigation and suspected the NGO running the centers forced clients to perform heavy labor in the agricultural and forestry industries without pay.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The government effectively enforced child labor and minimum age laws. Penalties were commensurate with those for other analogous serious crimes and sufficient to deter violations. The statutory minimum age for employment is 15. Children age 13 or older may work in certain jobs outside of school hours with written permission from a parent. The law prohibits children younger than 18 from performing nighttime or overtime work. The law provides that children may not work in jobs that pose a risk to their physical safety, health, or development. There were three reports of labor abuses involving children, which the State Labor Inspectorate investigated and did not find any violations. Through September the State Labor Inspectorate did not report cases of unregistered employment of youth.

### **d. Discrimination with Respect to Employment and Occupation**

Labor laws and regulations prohibit discrimination. Penalties were commensurate with those under laws related to civil rights. Despite the existence of a sizeable Russian-speaking minority, the government requires the use of Latvian as the officially recognized language where employment activities “affect the lawful interests of the public.” Citing the continuing political and economic threat posed by Russia to Latvia, the government restricted some sensitive civil service positions for candidates who previously worked for the former Soviet intelligence apparatus.

According to the World Bank Group’s publication *Women, Business and the Law 2020*, women in the country have equal legal standing with men. There were instances of hiring and pay discrimination against women, particularly in the private sector, but they were underreported to the ombudsman. Through August the ombudsman opened one case of discrimination against women.

Employment discrimination also occurred with respect to sexual orientation, gender identity, and ethnicity. Persons with disabilities experienced limited access to work, although they were free to work in all labor markets and were able to receive government employment support services, including those specifically designed for persons with disabilities. In 2019, 27 percent of all persons with disabilities were employed, a slight increase from 2018. The Romani community

faced discrimination and high levels of unemployment.

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The law sets a monthly minimum wage that was above the official poverty line. The government enforced its wage laws effectively.

The law provides for a maximum workweek of 40 hours. The maximum permitted overtime work may not exceed eight hours on average within a seven-day period, which is calculated over a four-month reference period. The law requires a minimum of 100 percent premium pay in compensation for overtime, unless the parties agree to other forms of compensation in a contract; however, this was rarely enforced. Penalties were commensurate with those for other analogous crimes and sufficient to deter violations. The State Labor Inspectorate is responsible for enforcement of wage and hour laws. The number of labor inspectors was sufficient to enforce compliance, and the inspectorate has the authority to make unannounced inspections and initiate sanctions.

Workers in low-skilled manufacturing and retail jobs as well as some public-sector employees, such as firefighters and police, were reportedly most vulnerable to poor working conditions, including long work hours, lack of overtime pay, and arbitrary remuneration.

**Occupational Safety and Health:** The law establishes minimum occupational health and safety standards for the workplace that were current and appropriate for the main industries. While the law allows workers to remove themselves from situations that endanger health or safety without jeopardizing their employment, these regulations were not always followed. Workers were able to complain to the State Labor Inspectorate when they believed their rights were violated. Penalties were commensurate with those for other analogous crimes and sufficient to deter violations.

The State Labor Inspectorate is responsible for enforcing minimum wage regulations, restrictions on hours of work, and occupational health and safety standards. These standards were not always enforced in the informal economy. Penalties for violations are fines that vary widely, depending on the severity and frequency of the violation, but were generally sufficient to deter violations. The

inspectorate had adequate resources to inspect and remediate labor standards problems, effectively enforce labor laws, and occupational safety and health standards. Through September the State Labor Inspectorate reported 18 workplace fatalities. The inspectorate also reported 139 serious workplace injuries. The State Labor Inspectorate reported that 66 injuries and four deaths occurred as a result of industrial accidents. Workplace injuries and fatalities were primarily in the construction, wood-processing, and lumber industries.

**Informal Sector:** Real wage estimates were difficult to calculate in the sizeable informal economy, which according to some estimates accounted for 25 percent of GDP. Most workers in the informal sector were officially registered and received an official wage (with all taxes paid and eligibility for all benefits). These individuals also receive some tax-free money in cash. In this case, they are covered by wage, hour, and occupational safety and health (OSH) laws and inspections.

Some persons who were employed illegally without any papers, paid no taxes, and received their wages in cash, did not have wage, hour, and OSH protection but did have access to social protection provided by the Ministry of Welfare, such as unemployment benefits, as well as to various social assistance programs provided by municipalities. The State Labor Inspectorate conducted inspections to find these cases and punish employers for illegal employment.